

# **EXHIBIT 78**

IN THE UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

**Exhibit  
23**

3/9/2023  
L.Flynn

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JOHN P. "JACK" FLYNN	:	
LESLIE A. FLYNN	:	
	:	
Plaintiffs,	:	
	:	
v.	:	<u>Case 1:21-cv-02587- GHW/SLC</u>
	:	
	:	
CABLE NEWS NETWORK, INC.	:	
	:	
Defendant.	:	
-----X	:	

**PLAINTIFFS' OBJECTIONS AND ANSWERS  
TO DEFENDANT'S INTERROGATORIES**

Plaintiffs, John P. "Jack" Flynn ("Jack") and Leslie A. Flynn ("Leslie") (Jack and Leslie are collectively referred to as the "Plaintiffs" or the "Flynn"), by counsel, pursuant to Rules 26 and 33 of the Federal Rules of Civil Procedure and the Federal Rules of Evidence ("FRE"), hereby note and preserve the following Objections and serve the following Answers to defendant, Cable News Network, Inc.'s ("CNN"), amended first set of interrogatories dated March 25, 2022 (the "Discovery Requests").

**General Objections**

1. Plaintiffs object to the Discovery Requests on the ground and to the extent that the Discovery Requests exceed the scope of discovery permitted under Rules 26, 33 and 34 of the Federal Rules of Civil Procedure (the "Rules"), including the number of interrogatories and subparts.

2. Plaintiffs object to the Discovery Requests on the ground and to the extent that the Discovery Requests seek the production and/or disclosure of information

protected by the attorney-client privilege and/or work-product doctrines. Subject to and without waiving the privilege as to any document, Plaintiffs represent that the only information and documents being withheld are communications between Plaintiffs and legal counsel in this action (Mr. Biss and Mr. Carlini), documents prepared in anticipation of this litigation, and work-product of Plaintiffs' legal counsel. The privileged materials consist entirely of email and text message communications between Plaintiffs and their legal counsel and legal analysis of claims and defenses prepared by counsel. Plaintiffs do not intend to produce a privilege log as to these documents, unless requested to do so by counsel for Defendants. Any other claim of privilege or protection of trial-preparation materials will be expressly made in accordance with Rule 26(b)(5).

3. Plaintiffs object to the Discovery Requests on the ground and to the extent that the Discovery Requests seek the production and/or disclosure of information protected by the marital/spousal privilege.

4. Plaintiffs object to the Discovery Requests on the ground and to the extent that the Discovery Requests seek the production and/or disclosure of confidential information and sensitive personal, business and/or financial information and material that is not generally known to the public and that is the subject of efforts by Plaintiffs that are reasonable under the circumstances to maintain the confidentiality of such material. Plaintiffs will produce all "CONFIDENTIAL" and/or "HIGHLY CONFIDENTIAL" (Intended for Counsel's Eyes Only) information in accordance with the terms and conditions of the Confidentiality Stipulation and Protective Order [*ECF No. 60*] or as ordered by the Court or agreed to by the parties.

5. Plaintiffs object to the Discovery Requests on the ground and to the extent that the Discovery Requests seek to elicit inadmissible opinion evidence and/or hearsay or call for Plaintiffs to speculate or are duplicative.

6. Plaintiffs object to the Discovery Requests on the ground and to the extent that the information requested is not in Plaintiffs' possession or control, but is in the possession and control of others.

7. Plaintiffs object to the Discovery Requests (including the definitions and instructions that accompany the Discovery Requests) on the ground that the Discovery Requests are vague, confusing, argumentative, overly broad, unduly burdensome and not proportional to the needs of the case.

8. Plaintiffs object to the Discovery Requests to the extent that the Discovery Requests require Plaintiffs to create documents for CNN or to take action not required by Rules 26, 33 and 34 of the Federal Rules of Civil Procedure.

**Answers to Interrogatories**

As to each and every interrogatory, Plaintiffs note and preserve the following objections: Relevance (FRE 402); Prejudice (FRE 403); Privilege (attorney-client and work-product) (FRE 501-502); Lack of Foundation/Knowledge (FRE 602); Inadmissible Opinion (FRE 701); Hearsay (FRE 802); and Authenticity (FRE 901).

Subject to the foregoing objections and to the scope and proportionality of the Discovery Requests, Plaintiffs answer each numbered Interrogatory, including discrete subparts, as follows:

1. Identify and provide a computation of each category of damage alleged in the Complaint, including but not limited to presumed, actual, special and/or punitive damages arising from the injuries claimed at Paragraphs 6, 8, 19, 21, 24, and 29 of the Complaint.

**ANSWER:** In accordance with R.I. Gen. Laws § 9-1-28.1(b), Plaintiffs allege and seek to recover the following five (5) categories of damages in this action: actual injury/general damages, punitive damages, reasonable attorney’s fees, prejudgment interest and court costs. Plaintiffs compute their damages as follows:

1. **Actual Injuries/General Damages – \$75,000,000.00.**

In general, one who has established a cause of action for invasion of his or her privacy is entitled to recover damages for (a) the harm to his or her interest in privacy resulting from the invasion; (b) his or her mental distress proved to have been suffered if it is of a kind that normally results from such an invasion; and (c) any special damage of which the invasion is a legal cause. [Restatement (Second) of Torts § 625H (1977); *Geiger v. Creative Impact, Inc.*, 2020 WL 3545560, at \* 6 (D. Ariz. 2020) (“once a plaintiff establishes a false light claim, it is in the province of the finder of fact ‘to

consider any actual damage to [a plaintiff's] reputation[] and/or any emotional damage or damage to sensibility.”) (quotation omitted)]. In the case of “emotional distress”, proof of harm “may be simply the plaintiff's testimony”. Restatement (Second) of Torts § 625H, cmt. c. CNN's publication and republication of false and fictitious facts, including the display of Plaintiffs' pictures above the chyron “**QANON FOLLOWERS**”, caused Plaintiffs to continuously suffer harm to their interest in privacy, public insult, humiliation, embarrassment, emotional distress, anxiety, sense of betrayal and deep disappointment, fear for their safety and the safety of family members, fear that the defaming remarks have reached family, friends and other members of the public beyond those who are identified in the Amended Complaint, fear that the false and fictitious facts have agitated bad actors and caused such persons to defame Plaintiffs and the Flynn family, fear that they have lost standing and credibility in the community, fear that they will never be able to clear their names, sleeplessness, headaches, lack of concentration, and injury to their reputations.

Jack Flynn recalls the following:

“The Flynn Family 2020 4<sup>th</sup> of July cookout was to be a very special celebration for our family. Whomever of the family or friends that could gather were invited to come by to celebrate both Independence Day, as well as the more important recent dismissal of the Department of Justice's case against my brother General Mike Flynn. I personally was very excited about the dismissal and super excited to celebrate that justice had finally been served. We also had a very special guest coming that day, a hero to all of us. She was our white knight who had stepped into what appeared to be a hopeless legal matter for Michael. Ms. Sidney Powell, (Michael's second attorney who took his case in late

2018), 'angel of justice' was on her way to our homes for a 4<sup>th</sup> of July New England style Clambake and celebration. We had SO much to be grateful for. It was really truly going to be a great celebration. Possibly 40-50 people, or more cycled through both properties that day. They all came through to meet Sydney and Mike, wishing him well, taking photos of themselves with the two of them and getting autographs. The effort and amount of funding for his legal ordeal was monumental. I felt a lot of relief the shackles had come off of Mike and he could now start to breathe a little easier, and get on with his life. I found out soon after the cookout I was wrong about this, but that's another story. The afternoon was fun, and as people came in and out touring our homes, I spent a lot of time behind the grill for the most part of the day, and set up a buffet style dinner. Sometime around the early stages of dusk, at about 5:30-6:00 p.m., I was in my yard, and I heard my name called out. Someone in the crowd said, 'Mike is looking for you', and directed me to Mike's yard. I walked through the gate from my back yard into his and observed other family members forming into a picture lineup. I noticed that Leslie was not there, so I went to find her. My back yard and Mike's are separated by a fence with a gate. This allows us to walk through freely. Leslie and I walked less than 20 yards over to Mike's and myself, Leslie, Lori, Mike, Joseph and Valerie, Joseph's wife, fell into a photo lineup. Notably, Sidney Powell and her son Wilson were standing in front of us as if to take a photo. Instead of photos, Wilson started filming as Mike led with a statement. We simply repeated each line after him, that included an oath to uphold the law, a statement of family unity and support for one another, that ended with 'God Bless America'. The whole matter lasted less than 10 minutes, was completely impromptu, and totally spontaneous. We broke off from that lineup and I went to my yard and continued

to make sure our remaining guests were happy and got a few on their way home safely. The evening wound down into night. We cleaned up and finally ended the night sitting around a fire talking and listening to music. I felt really happy that night that we had been able to celebrate with Mike, Lori, and Sidney after a nearly impossible feat of turning around a plea bargain deal, that not only was the right thing to do, the DOJ basically rubber stamped that Mike was innocent too.

I first learned of the CNN piece early one March morning in 2021, having coffee with my wife. Leslie sort of jumped up out of her seat, and holding her phone towards me, said something to the effect of “Oh my God look what Mary Ellen just texted to me”. She was referring to her girlfriend Mary Ellen Sullivan of nearly 40 years. Leslie then showed me a screenshot on her phone from Mary Ellen of myself, Leslie, Mike, Lori Joseph and Valerie Flynn lifted from the July 4<sup>th</sup> 2020 video taken by Wilson Powell with a banner affixed to it in bold black lettering with the statement ‘**CNN GOES INSIDE A GROUP OF QANON FOLLOWERS**’. I was completely shocked and surprised, and sat staring in disbelief. We looked carefully at it to figure out where it came from. Mary Ellen said something to the effect of not expecting to ever know anyone that was on CNN. My anger and disgust at the portrayal of us surfaced later when I found out this photo was used in a video that Donie O’Sullivan produced about the Qanon extremist group he “went inside of” for CNN. Qanon, with a cult-like following, had by now become synonymous with the storming of and attacks upon the United States Capitol building on January 6, 2021. I realized we had a serious problem with CNN because I had not ever been a follower of Qanon or espoused to their tenets, and I most certainly did not storm the Capitol building with them. Leslie began to get more calls from our



youngest son Kyle whose friends Riley Raiche and Andrew Howiack had seen it and wanted to know if we were a part of this extremist group. Leslie's mother Lucy Ripa called her and was asking about our involvement with this violent group and her aunt Roberta Polinsky (a cousin really but much older who we referred to as Leslie's 'aunt'), was also wondering what had happened and wondered if we were a part of this group given what CNN had televised. The harm done by this false casting as followers of this terrorist organization continues to haunt me daily and I find it repulsive and overly egregious that I have to confront this on a daily basis throughout nearly every aspect of my life. What really angers me the most is the whole matter could have possibly been avoided by Donie or CNN placing a phone call to one of us. The answer to that call was simple. We are not followers of Qanon. We never took an oath of allegiance to Qanon. There was no Qanon gathering at our homes on the 4<sup>th</sup> of July and there never was ever any discussion about it whatsoever when this video was produced by Wilson Powell in July 2020. The original video was posted on Twitter by my brother Mike and it got a lot of attention and possibly contributed in a positive manner on his Legal Defense Fund which became vital to the legal efforts he faced as he headed into the Fall of that year. Since the CNN publication was released, I have had to overcome a daily sense of frustration, anger, insult, fear and embarrassment and exposure to public scorn solely based on the release of this specific report. Donie O'Sullivan the reporter and CNN publishing this story to so many people depicted and portrayed us falsely and completely out of context with respect to what we did at our home on the previous Fourth of July. His feature, "*CNN Goes Inside a Group of Qanon Followers*" was absolutely false, and IN FACT, the depiction by O'Sullivan of myself and my wife could not be further from

the truth. The editing and portrayal by O'Sullivan are unequivocally malicious. He edited the original video, featured our photos, and placed a chyron with bold black letters, proclaiming that we were "**QANON FOLLOWERS**", and left it there for the whole world to see. Then affixed it into a video showing us as people who would be a part of an insurrection in our Capitol building. It is still on line now today and if you google the name Flynn and Qanon you will find this picture of our family along with their chyron. There is nowhere I can hide from this. The statement and the photo actually make it seem as though CNN was there with us in Mike's backyard when the photo was taken. I am not and never have been a follower of Qanon. I am not part of their organization. I am not an adherent to their tenets, or beliefs whatsoever. The insinuation of this leaves me with a sense of loss of control of my reputation and erodes my personal character in the public eye and has undermined my sense of self-autonomy and self-worth, and caused me to fear from my safety and that of my wife Leslie and our family. My good name has been destroyed by the false accusations of an egregious media outlet interested in monetizing our family name without any proof or basis for doing so. Using the photo with their chyron and edited video only to draw eyes to their story line and clicks to their narrative without regard to its impact to me purely for their own financial benefit. What CNN/O'Sullivan did when they carved out our photo and altered the full statement and associated us with a now known domestic terrorist group some 9 months after the video was filmed in my brother's back yard was to invade our privacy and place us in harm's way and make us feel vulnerable. Lifetime friends like Mary Ellen Sullivan for example, in texts with Leslie wrote that she actually believes that the "Flynn Brothers" are members of this cultish organization. That impression by Mary Ellen is undoubtedly the

same that millions of others have as well. When our youngest son Kyle was visiting his friend Riley Raiche, they joked in front of Riley's parents that, "Kyle's mother and father are Qanon people". I hate that our son has been subjected to this. Subjecting Kyle to ridicule and embarrassment, where he found himself defending Leslie and I and refuted to his friend and other family members of the household he was visiting that jabbed Kyle that we were Qanon people, really hurt. Andrew Howayeck another close friend of Kyle's inquired after seeing the CNN release, "Are your parents part of this Qanon movement?" Nicole Plumley another old friend of Kyle's sent a photo that told him came from CNN, and inquired to Kyle about his parents' involvement with Qanon. See text message screen shots. Twins Keenan and Devin Casey both inquired and asked: "Kyle is this your mom? Isn't your uncle pro-Qanon"? "Is it true on CNN about your family taking the oath for Qanon"? Leslie's Aunt Roberta who is close friend to us all and especially Leslie's mother, questioned her about our involvement in the matter. I am also concerned about the business impact of CNN false statements on Air BNB and VRBO. I fear losing our ability to participate on Airbnb and VRBO. Last summer, we placed our home on these two short term rental sites and we fear retribution against us for being portrayed as followers of Qanon. We have had to remove any and all evidence of our names or photos so as to avoid not being identified as Qanon followers by a prospective tenant and/or from ABNB or VRBO management. I understand they have tremendous discretion and have been known to remove a property completely off of their site for far less. For example, a woman named Michelle Malkin and her husband were recently cut off from using ABNB and renting their property through ABNB because Michelle spoke at what ABNB determined was a "white supremacy" rally.

[<https://prescottnews.com/index.php/2022/02/06/opinion-why-airbnb-banned-me-and-my-hubby-too-michelle-malkin/?amp=1>]. Another recent article also raises issues of loss of income from short term rentals to the point where again I am very concerned to tell anyone my last name or leave any sign of my family available inside the property. [[https://www.washingtonexaminer.com/policy/cancel-culture-pressure-ramps-up-on-tech-platforms-spotify-airbnb-and-gofundme?\\_amp=true](https://www.washingtonexaminer.com/policy/cancel-culture-pressure-ramps-up-on-tech-platforms-spotify-airbnb-and-gofundme?_amp=true)]. Friends in Leslie's racquet sports community (possibly as many as 50 of them) are aware of this CNN clip using our photo with the chyron screaming in bold letters about Qanon. This can all be tied back to the chyron and the photo depicting us as followers or adherents of Qanon. Neighbors in our subdivision who know us were very surprised to see this article with our photo, and want to know about it. So, we find ourselves defending or explaining we are not a part of the Qanon group of domestic terrorists that we were depicted in the CNN article. One friend, Denise Boyer from Michigan, was warned by her sister in Illinois after the story was posted by CNN, and gave her a warning in the following manner such as "If you are friends of them, (the Flynn's) be careful of those Flynn's". I also suffer constant emotional distress and anxiety and fear of physical harm. It is not outside the scope of reality based on CNN's report that we could be physically attacked, and this is not without basis. For example, during the pendency of Michael's prosecution, I reported an individual to the police that admitted through a direct message on twitter that he had been to both of our homes in Rhode Island. Stood outside the houses, sent me photos of menus from a restaurant down the street from our homes. This particular individual reached out to me through a DM on Twitter, and asked my if "he went to one of our homes (Mikes or mine) would he be met with a gun to his face"? This all happened

before the release of the CNN video, but is an example of the kind of issues we had been dealing with through the pendency of the trial for which Mike was falsely accused. The example shows that we were already dealing with threats, and this video could only exacerbate the fear of something happening to one of us physically. I called the police about that particular individual and we were able to find him and have him back down with local police help. Both before and after this video came out, the local police in Middletown, RI, did routine drive-bys to check on the properties. People unknown to us have taken Mike's flag down off of his flagpole and thrown it to the ground. They have tossed bags of dog feces at his home. Given Qanon people are in fact now considered domestic terrorist and our names and addresses are public, a story like this produced by CNN only exacerbates more fear of physical harm that we have already been confronting for the previous four years. The continued parade of denigration can be seen on Twitter as was mentioned in our amended complaint. The individuals target and openly state lies and often post the exact photo with the chyron on to the internet over and over again, urging that we need to be or should be arrested or worse. I cannot afford to take these threats lightly. Enough is enough and I am so disgusted with the lies perpetrated towards me that it left me no choice but to file this lawsuit to get this to stop cold, and ask for consideration for the harm caused by this false narrative. The video released by CNN on February 4-5, 2021 and republished in June 2021 turned what was an innocent statement of respect, unity and solidarity of our constitution at our July 4<sup>th</sup> family cookout along with a blessing for our country, into a malicious editing and a false statement placed on the photo to generate massive revenues for themselves and irreparable harm to me personally. They did this all without consideration of its impact to me or to my wife and

extended family. They never made so much as a phone call about the video to anyone of us, nor the attorney for Michael, Ms. Sidney Powell. CNN knew Sidney had responded publicly about it on Twitter, and had denied that the video had anything to do with QAnon. This false portrayal subjected us to public scorn and ridicule. It continues to expose us to harm. I continue to fear an unexpected remark, judgement or attack from around any corner by someone determined to harm me, Leslie or our family. CNN continues to profit from advertisements embedded in the published report. [<https://amp.cnn.com/cnn/videos/business/2021/02/05/inside-qanon-culture-meeting-donie-osullivan-pkg-ctn-vpx.cnn>]. The debilitating feeling of defenselessness against this possible provocation of violence has become a daily routine now as family friends, acquaintances and total strangers have judged us as being associated with domestic terrorists that raided the Capitol building in Washington D.C. on January 6, 2021. It's to the point where I feel as though I don't want to say my last name any more out of fear of judgement or retribution from an unknown person who could be a possible assailant. This CNN video released, to a broad market seems to follow us everywhere. This has been impossible to defend against since the onslaught of media coverage that was so broadly publicized and so obviously meant to impose maximum harm towards us. I guess I could choose to be an emotional cripple or I could choose to fight back through our legal system, defend my good name and hopefully bring justice to bear itself upon my home and family. I chose the latter and instead I do what I need to take care of my physical health and emotional well-being, so I can be there for my family when they need me. Praying, staying fit and becoming hyper vigilant has also been a big help for me as well."

Leslie describes the events of July 4, 2020 and the impact of CNN's invasion of privacy in 2021 as follows:

“Jack, myself, Mike and Lori planned a big 4<sup>th</sup> of July of 2020 family cookout in honor of Independence Day and also to celebrate Mike's case having recently been dismissed from a challenging prosecution that oftentimes portrayed him as being some kind of ‘traitor’ to our country. I have known the Flynn Family since I was 15 years old. My memory of this family was that they were (and still are) a very well respected Irish Catholic family within our community in S. Rhode Island. They all worked very hard to raise respectful children. I was very happy when I married into the Flynn family knowing how respected they were and felt very comfortable knowing that I was going to be a part of this family as well. Our cookout was for sharing a good time, some funny stories together some about our families with our family and friends. During the cookout, about 5:30-6:00 PM, I was asked to go next door to Mike's. When I got over to Mike's, Sidney Powell and her son Wilson were standing waiting for us to line up for what I thought was going to be a photo, but turned into a video of repeating what I originally thought was some part of the Constitution, as well as the freedom it represented and for the togetherness of us Flynn's all sticking together to fight against the deceit from the 2 years of betrayal against not only Mike but others in the Flynn family as well. That was the ‘oath’ I was taking if you can even call it an oath. We finished with ‘God Bless America’. We were all so happy that our prayers and faith in the truth in our legal system were finally happening.

Nine (9) months later in March of 2021, I started to receive messages and phone calls from family and friends asking me about a video of me and the rest of the Flynn's

that had gone viral. My friend Mary Ellen Sullivan was the first one I received. I was shocked to say the least, when she said I was on CNN. She then sent a picture that she saw and the caption read: **“CNN GOES INSIDE A GROUP OF QANON FOLLOWERS”**. I felt sick to my stomach. First of all, I didn’t know what Qanon was. Secondly, there was my picture on national television without my permission with a statement in block letters on the picture with a group that I knew nothing at all about. I called Mary Ellen and explained to her what we were doing in the video in 2020, reciting a pledge to the constitution and celebrating the freedom of our family! Still to this day, I am not sure if she believed me. We have been friends for over 40 years, and I felt like she was questioning my choices and beliefs in trusting a man whose family could be involved in something violent and dangerous like QAnon because she later stated in the text same stream that she the believed the Flynn Brothers could be a part of this. We had always been very close but through the years our lives took different paths, but remained close friends. But now it felt different. I felt like she did not feel comfortable around me or my family (Flynnns). We decided to respect each other’s feelings and to agree to disagree with our political views. About the same time, I started getting text messages from my kids and other friends and family asking me if I was a part of Qanon, again not even knowing what Qanon was. I googled it, and was further shocked to read the description and thinking that anyone who had seen that clip or photo could think that I was part of something so despicable was just absolutely horrifying. I felt my personal dignity slipping away. After watching videos of the January 6<sup>th</sup> insurrection of the man with the horns on his head and thinking people would see me and think I was someone like this guy with these horns on his head, made me feel embarrassed, sad and sick to my



stomach. I was being associated with a Qanon follower through the release of this video. I started feeling very insecure around friends and family who I have had for years. I play pickleball in the community where we now live in Englewood, Florida, and people in my Pickleball group are telling me they saw me on TV that also associated me with this Qanon group. I felt like I had to convince them I was not part of this 'cult'. All of which added further to my sense of insecurity. I also felt that people were distancing themselves from me for the same reason. Then having my best friends ask me 'what is Qanon'? And to have to tell them I didn't even know, and they would say something to the effect, 'well you were on TV and it said you were part of Qanon', left me speechless and absolutely humiliated and defenseless to their false judgement of me and who I am and what I believe in. My youngest son Kyle sent the picture of me. He stated, 'WTH is this?', 'Are you and Jack part of some cult?', and further telling me that a few of his friends, 'saw it and sent it to him asking HIM what WE (Jack and I) were doing with a Qanon GROUP?' I had to explain to Kyle that we were not and that it was a lie about us. It was frustrating and humiliating to think that I would have to defend myself and explain that I was not part of any Qanon group. To have to constantly defend my reputation with family and friends for something I knew nothing about made it impossible for me against something that went viral on the internet. My mother (Lucy Ripa) called me specifically to tell me her elderly cousin saw something on TV (CNN Goes Inside a Group of Qanon Followers) and asked if we were part of Qanon. I had to explain NO, I was NOT part of some crazy cult like that at all! The thought of my 80-year aunt and mother thinking such a thing about me was more than frustrating and annoying and still to this day I am not sure again if they (especially my aunt Roberta Polinsky) believe me or not. To this

very day, I am saddened and I feel untrusted and unliked by others because so many people have seen this and have questioned me and will continue to question whether or not it is true. Since the release of this CNN video, it seems like a seed was planted in people's minds who both know me well or are simply acquaintances question who I really am. I continue to feel defensive, humiliated, embarrassed and sad that I have to convince people about this. Because this depiction of me as a Qanon follower by CNN is NOT who I am at all."

In determining the damages claimed in this action, Plaintiffs have taken into consideration all of the circumstances surrounding the Defendant's statements and actions, including, but not limited to (a) the occasion on which the false statements were made (shortly after the violent attacks on the United States Capitol at a time when CNN was running an operation on certain Republicans and General Flynn, promoting the "QAnon narrative"), (b) the means and methods of publication and republication (via prime time cable television, utilizing high-profile anchors such as Don Lemon and Brooke Baldwin, and via CNN's massive social media following on Twitter and YouTube), (c) the extent and sheer volume of the publications and republications (over 50,000,000 views, posts, tweets, retweets, likes and replies), (d) the nature and character of the insult (linking god-fearing, law-abiding private American citizens to a domestic violence extremist group), (e) the probable effect on those who read and heard the statements (measured by the comments of friends, the threats Plaintiffs received, and the comments on YouTube and Twitter), and (f) the probable and natural effect upon the Plaintiffs' personal feelings and upon their standing in the community and in business.

The Supreme Court of the United States in *Gertz v. Robert Welch, Inc.*, 418 U.S. 323 (1974) described “actual injury” as follows:

“Suffice it to say that actual injury is not limited to out-of-pocket loss. Indeed, the more customary types of actual harm inflicted by defamatory falsehood include impairment of reputation and standing in the community, personal humiliation, and mental anguish and suffering. Of course, juries must be limited by appropriate instructions, and all awards must be supported by competent evidence concerning the injury, although there need be no evidence which assigns an actual dollar value to the injury.”

*Id.* at 349-350. Plaintiffs will ask the Jury to determine an amount that will fully and fairly compensate Plaintiffs for the harm to their interest in privacy and mental distress suffered as a result of CNN’s publication of false facts. Although there is no mathematical formula for computing the quantum of actual injuries in a false light case, Plaintiffs will ask the jury to award \$100 for each viewer, advertiser, follower and subscriber to whom the false and fictitious facts were published and republished as a sufficient sum to redress the damage caused by the invasion of privacy.

2. Punitive Damages – **\$75,000,000.00**. With regard to punitive damages the *Gertz* Court held that:

“[Punitive damages] are not compensation for injury. Instead, they are private fines levied by civil juries to punish reprehensible conduct and to deter its future occurrence. In short, the private defamation plaintiff who establishes liability under a less demanding standard than that stated by New York Times may recover only such damages as are sufficient to compensate him for actual injury.”

*Id.* at 350. Defendant published and republished the false statements with knowledge that the facts were false and fictitious and/or with reckless disregard for the truth. First, CNN knew its statements about Plaintiffs were false. CNN knew that it had no factual basis to believe that the Flynnns were connected to any violent domestic extremist group based solely based on the July 4, 2020 backyard barbecue video post by General Flynn. In spite

of its actual knowledge, CNN misrepresented that the Flynns followed QAnon and pledged allegiance to this extremist group. CNN fabricated the statements. The statements were a product of CNN's imagination and desire to hurt General Flynn. Second, in January/February 2021, at a time when CNN was undertaking an operation against certain Republicans on behalf of the Democratic Party as a result of the attacks on the United States Capitol, heavily promoting a narrative about violent DVE QAnon, CNN deliberately altered the video posted by General Flynn to his Twitter account in July 2020 in order to associate the Flynns (and other members of their family) with the QAnon domestic terrorists and extremists. The edits were deliberate and fraudulent, and were made by editors and producers who were following the preconceived narrative (crafted by former CNN President Jeff Zucker) to link the Flynn family members to the violent extremist group QAnon – the group that was “prominent” amongst the “insurrectionist mob” that attacked the Capitol on January 6, 2021. The O’Sullivan report was part of a premeditated effort by CNN to injure the Flynns, just as it has targeted others, including Matt Gaetz. [[https://www.instagram.com/reel/CaSlBqcg47o/?utm\\_medium=share\\_sheet](https://www.instagram.com/reel/CaSlBqcg47o/?utm_medium=share_sheet) (“If the agenda say is to get Matt Gaetz right now, he’s like this Republican. He’s a problem for the Democratic Party because he’s so conservative and he can cause a lot of hiccups to passing of laws and what not. So it would be great for the Democratic Party to get him out. So, we’re going to keep running those stories to keep hurting him and make it so that it can’t be buried”)]. Third, in the wake of the storming of the United States Capitol, CNN’s statements were intentionally extreme and outrageous. CNN knew that publication of the false facts would cause a media frenzy. CNN deliberately and recklessly publicized false facts about the Flynns to sensationalize the news. This

constitutes actual malice. *Tomblin v. WCHS-TV8*, 2011 WL 1789770, at \* 5 (4<sup>th</sup> Cir. 2011) (unpublished) (“on the question of whether WCHS-TV8 deliberately or recklessly conveyed a false message to sensationalize the news and thus to provide factual support for a finding of malice, there are disputed facts”). Knowing that its statements about the Flynns were sensational and scandalous, CNN intentionally published the false statements in order to increase ratings, viewership and profits. CNN acted willfully and wantonly and with actual malice by pursuing a grossly negligent course of action that it knew was likely to result in harm to the Flynn. Fourth, CNN is a Democratic Party trumpet. CNN harbors an institutional animosity, hostility, hatred, extreme bias, spite and ill-will towards the Flynn family, and, in particular, General Flynn. This animosity, bias, prejudice and desire to harm motivated CNN to publish the intentionally false statements and insinuations about the Flynns at issue in this case. CNN intended to inflict harm through knowing or reckless falsehoods. *Don King Productions, Inc. v. Walt Disney Co.*, 40 So.3d 40, 45 (Fla. 4<sup>th</sup> DCA 2010) (“[a]n intention to portray a public figure in a negative light, even when motivated by ill will or evil intent, is not sufficient to show actual malice unless the publisher intended to inflict harm through knowing or reckless falsehood.”) (citing *Garrison v. Louisiana*, 379 U.S. 64, 73 (1964)); *Cochran v. Indianapolis Newspapers, Inc.*, 175 Ind.App. 548, 372 N.E.2d 1211, 1221 (1978) (evidence of ill will creates jury question on actual malice where “[t]here are no facts or statements of record which even remotely support” the defamatory implication at issue). Fifth, CNN abandoned all journalistic standards and integrity, including CNN’s own standards and code of ethics, in writing, editing, and publishing the false facts. CNN did not seek the truth or report it. It betrayed the truth to sensationalize the news for self-

glory, profit and politics. Rather than minimize harm to the Flynns, CNN intentionally set out to inflict maximum pain and suffering on the Flynns in order to harm their reputation and belittle and besmirch General Flynn. CNN never once considered the long-term implications or the extended reach and permanence of falsely connecting the Flynns to a domestic extremist group. Finally, on June 15, 2021, months after the Flynns filed suit against CNN and notified CNN that the statements in O’Sullivan report were false and defamatory, CNN and O’Sullivan brazenly and viciously republished the false facts. [<https://twitter.com/donie/status/1404889150113955851>]; see *Nunes v. Lizza*, 12 F. 4<sup>th</sup> 890, 901 (8<sup>th</sup> Cir. 2021) (“‘Republication of a statement after the defendant has been notified that the plaintiff contends that it is false and defamatory may be treated as evidence of reckless disregard.’ Restatement (Second) of Torts § 580A cmt. d (Am. L. Inst. 1977). Lizza tweeted the article in November 2019 after Nunes filed this lawsuit and denied the article’s implication. The pleaded facts are suggestive enough to render it plausible that Lizza, at that point, engaged in ‘the purposeful avoidance of the truth.’”). CNN acted with reckless disregard for the truth. Plaintiffs use a 1:1 multiplier to compute their punitive damage claim. That multiplier comports with Due Process and Rhode Island law. [See *State Farm Mutual Automobile Insurance Company v. Campbell*, 538 U.S. 408, 425 (2003) (“[s]ingle-digit multipliers are more likely to comport with due process, while still achieving the State’s deterrence and retribution goals, than are awards with 145-to-1 ratios, as in this case. Because there are no rigid benchmarks, ratios greater than those that this Court has previously upheld may comport with due process where a particularly egregious act has resulted in only a small amount of economic damages.”)].

3. Reasonable Attorney's Fees – **\$37,500,000**. Under § 9-1-28.1(b), the Court “may award reasonable attorneys’ fees and court costs to the prevailing party.” Plaintiffs have paid counsel a \$20,000 retainer and are obligated to pay twenty percent (20%) of all sums recovered by way of jury verdict or settlement. Pursuant to Rule 54(d)(2), Plaintiffs will move the Court for an award of attorneys’ fees computed by multiplying the sum of compensatory and punitive damages awarded by the Jury by twenty percent. Plaintiffs will submit expert testimony as to the reasonableness of counsel’s retainer and contingency fee. [*See, e.g., In re Abrams & Abrams*, 605 F.3d 238, 244 (4<sup>th</sup> Cir. 2010) (district courts should look at twelve factors to determine if a contingency fee is reasonable: (1) the time and labor required in the case, (2) the novelty and difficulty of the questions presented, (3) the skill required to perform the necessary legal services, (4) the preclusion of other employment by the lawyer due to acceptance of the case, (5) the customary fee for similar work, (6) the contingency of a fee, (7) the time pressures imposed in the case, (8) the award involved and the results obtained, (9) the experience, reputation, and ability of the lawyer, (10) the “undesirability” of the case, (11) the nature and length of the professional relationship between the lawyer and the client, and (12) the fee awards made in similar cases.”] (citations omitted)].

4. Prejudgment Interest – interest on the principal sum awarded by the Jury from February 4, 2021 until the date Judgment is entered against CNN at the rate of nine percent (9%) per annum pursuant to New York Civil Practice Law and Rules (“CPLR”) §§ 5001, 5004.

5. Court Costs – **\$400**.

2. Identify all Persons with knowledge or information concerning each category of damage alleged in the Complaint, including but not limited to presumed, actual, special and/or punitive damages arising from the injuries claimed at Paragraphs 6, 8, 19, 21, 24, and 29 of the Complaint.

**ANSWER:** The persons with knowledge of Plaintiffs' actual injuries/general damages are CNN and its agents, CNN's cable television viewers and social media followers, Plaintiffs, and others identified in Plaintiff's initial disclosures, including family members, neighbors and friends. Among those known or believed to have knowledge of the harm to Plaintiffs' privacy, mental suffering and other actual injuries are the following:

- Lucy Ripa, 7118 Golf View Colony Ct., Lake Worth FL 33467 401-864-0943;
- Frank McCully, 4 Phillips Ave., Middletown RI 02842 401-266-9896;
- Ryan Wilkinson., 1 Spinnaker Way., Westport MA 02790 401-855-2260;
- Simin Goedeking, 10805 O'Meara Way Englewood FL 34223 513-543-7770;
- Ben Boyer 128 N. Cayman Isles Englewood FL 34223 269-217-19420;
- Denise Boyer 128 N. Cayman Isles Englewood FL 34223 269-217-1942;
- Kristine Ferro, 11 Greenfield Ave Portsmouth RI 02871 401-954-5563;
- Bruce Ferro, 11 Greenfield Ave., Portsmouth RI 02871 617-839-8953;
- Dawn Ahearn 107 Carnegie Dr. Portsmouth RI 02871 401-640-5429;
- Larry Ahearn, 107 Carnegie Dr. Portsmouth RI 02871 401-640-5420;
- Dan Plodzeen 26838 Faldo Ln Englewood FL 34223 708-525-0391;
- Dan Canavan, 978-241-0978;
- Lori Stewart, 64 John Kesson Ln, Middletown RI 02842 401-862-6991;
- John Canale, 74 Warner St. Newport RI 02840 401-427-3699;
- Stacey Silvia, 74 Warner St., Newport RI 02840 401-418-2012;
- Riley Raiche, 774-644-9514;
- Andrew Howiack. Associate Attorney, Darren Everette, LLP, Providence RI, 401-453-1200;
- Kyle Saulnier, 401-864-5125;
- Mary Ellen Sullivan Kelly 14 Birch St. Portsmouth RI;
- Ethan Flynn 3010 Four Seasons Drive Phenix City AL 36867 401-500-3393;
- Police Chief William Kewer, Middletown RI 123 Valley Road Middletown RI 02842 401-846-1144;



- Roberta Polinsky, 3077 Lucerne Park Dr Greenacres FL 33467;
- Nicole Plumley, 401-266-9091;
- Matthew McGowan, Esquire, 56 Exchange Terrace, Prov., RI 02903 401-274-0030;
- Sue Green, 38 Willow Ave., Middletown RI 02842 401-418-2252.

The persons with knowledge of Plaintiffs claim for punitive damages are CNN and its current and former agents, including Zucker, Plaintiffs and General Flynn.

The persons with knowledge of Plaintiffs' claim for attorney's fees are CNN, Plaintiffs, Plaintiffs' counsel and Plaintiff's attorney's fees expert (to be designated).

Persons with knowledge of Plaintiff's claim for prejudgment interest and costs are CNN and Plaintiffs.

3. Identify the custodians, locations, and general descriptions of documents showing any action that You have taken in order to mitigate any damage alleged in the Complaint, including but not limited to presumed, actual, special and/or punitive damages arising from the injuries claimed at Paragraphs 6, 8, 19, 21, 24, and 29 of the Complaint.

**ANSWER:** CNN and Plaintiffs. We had to file suit against CNN to mitigate the damage caused. CNN not only refuses to take the false statements down, but CNN republished the false facts after we filed suit. CNN could care less.

4. Identify the custodians, locations, and general descriptions of documents documenting any medical and/or mental health appointments, treatments or consultations You have received during the relevant time period for any injury that you allege you have suffered as the result of conduct by the CNN or its independent contractors, as alleged in the Complaint.

**ANSWER:** Leslie's nurse practitioner, Sheila Seyster, has treated Leslie for anxiety. Documents will be produced.

5. Identify all Persons who You know – directly or indirectly – to have viewed or read any of the Chyron and/or Report, as described in Paragraph 5 of the Complaint.

**ANSWER:** The following persons have viewed or read the Chyron and Report:

- Donie O’Sullivan and the reporters, correspondents, editors, producers and publishers of the false and fictitious statements in the O’Sullivan report.
- CNN’s lawyers.
- Don Lemon and the subscribers, advertisers and viewers of *Don Lemon Tonight* 02/04/2021, <https://www.cnn.com/videos/business/2021/02/05/inside-qanon-culture-meeting-donie-osullivan-pkg-ctn-vpx.cnn>;
- Brooke Baldwin and the 469,000 followers of @CNNnewsroom, and those who retweeted, liked and commented on CNN’s tweet and report, <https://mobile.twitter.com/CNNnewsroom/status/1357801350768308224>;
- The 13,400,000 million subscribers to CNN’s YouTube channel, the 1,476,587 people who watched the O’Sullivan report on YouTube, and the 9,014 people who posted comments on YouTube, <https://www.youtube.com/watch?v=65q8J3Q8MIU>;
- Plaintiffs.
- Plaintiff’s friends and family identified above in these answers.

6. Identify all Persons with whom You communicated concerning the Chyron and/or Report, as described in Paragraph 6 of the Complaint.

**ANSWER:** Objection – Privileged.

Subject to the foregoing objection and excluding any communications with legal counsel, both Jack and Leslie have had conversations with family members, friends and their family members concerning the CNN report and chyron. Leslie has also had communications with pickleball and golf members who in the community and friends from RI.

The persona are identified in the answer to interrogatory nos. 1 and 2.

7. Identify all Persons (except Your counsel) with whom You have communicated regarding this Action.

**ANSWER:** Family members, Sidney Powell, people who know about the lawsuit from media outlets, John Solomon, Catherine Herridge, and Lara Logan.

8. Identify all Persons with whom You have communicated regarding General Michael Flynn's legal case, "Flynn family resolve", the 2020 Presidential Election, and/or QAnon, as described in Paragraph 23.a of the Complaint, including but not limited to any of the following Persons:

**ANSWER:** In response to this Interrogatory, Jack states as follows:

<i><b>Persons</b></i>	<i><b>Date</b></i>	<i><b>Manner</b></i>	<i><b>Place</b></i>	<i><b>Substance</b></i>
Cynthia Acbug	None	-	-	-
Lori Flynn	Feb/March 2021	discussion	Florida/R.I.	Emotions/opinions
Asli Babbitt	None	-	-	-
Jacob Bango	None	-	-	-
Lori Bango	None	-	-	-
Roseanne Barr	None	-	-	-
Joyce Bentley	None	-	-	-
Dion Bergeron	None	-	-	-

Lauren Boebert	None	-	-	-
R. Boyand	None	-	-	-
F. Brennan	None	-	-	-
Jacob Chansley	None	-	-	-
A. Comello	None	-	-	-
Robert Cornero	None	-	-	-
Jerome Corsi	None	-	-	-
Liz Crokin	None	-	-	-
Johsie Cruz	None	-	-	-
Rob Dew	None	-	-	-
Tracy Diaz	None			
Kirk Elliott	None	-	-	-
Jenna Ellis	None	-	-	-
C. Fulbright	None	-	-	-
Paul Ferber	None	-	-	-
R. Gieswein	None	-	-	-
M. Greene	None	-	-	-
P. Haller	None	-	-	-
David Hayes	None	-	-	-
Gene Ho	None	-	-	-
T. Holmseth	None	-	-	-
A. Hostetter	None	-	-	-
M. O'Neill	None	-	-	-
B. Redgate	None	-	-	-
Joe Flynn	Feb/Mar 2021	discussion	Florida	Emotions/opinions
Mike Flynn	Feb/March 2021	discussion	Florida/R.I.	Emotions/opinions
Mike Flynn, Jr.	None	-	-	-
V. Flynn	None	-	-	-
Chris Hallett	None	-	-	-
Jitarth Jadeja	None	-	-	-
Emily Jolley	None	-	-	-
Alex Jones	None	-	-	-
Dustin Krieger	None	-	-	-
N. Languerand	None	-	-	-
Nick Lim	None	-	-	-
M. Lively	None	-	-	-
F. McConnell	None	-	-	-
M. McCann	None	-	-	-
C. Melby	None	-	-	-
J. Pederson	None	-	-	-
K. Pendergrass	None	-	-	-
J.R. Perkins	None	-	-	-
N. Blanchard	None	-	-	-

S. Powell	Feb/March 2021	telephone	From Florida	Attorney referrals
J. Prim	None	-	-	-
C. Purcell	None	-	-	-
C. Rogers	None	-	-	-
Amy Sabal	None	-	-	-
John Sabal	None	-	-	-
J. Sather	None	-	-	-
R. Sherrill	None	-	-	-
A. Slyman	None	-	-	-
D. Stella	None	-	-	-
Roger Stone	None	-	-	-
C. Suprean	None	-	-	-
R. Taylor	None	-	-	-
E. Thompson	None	-	-	-
Donald Trump	None	-	-	-
C. Urso	None	-	-	-
Jim Watkins	None	-	-	-
Ron Watkins	None	-	-	-
J.T. Wilde	None	-	-	-
B. Wolfe	None	-	-	-
V. Wolski	Late summer 2020	Face to face	Cookout in RI	Veronica Wolski lived in Chicago referred to as “the lady on the bridge”. She was very supportive of my brother Mike. I was informed by my sister Barbara or possibly Joseph, that Ms. Wolski might be traveling east to visit friends and wanted to stop by to visit Mike. I was reluctant but decided to let her know if she could make it to the house, for a cookout sometime in late August 2020 she was welcome. She took me up on this offer. When she arrived the day of the cookout in the late afternoon, and before

				<p>she came inside the house, I purposely met her outside on my driveway to be sure she was safe to have at my home. She was smoking a cigarette, and I strongly dislike the smell of cigarette smoke. So, first impression was not good. She got talking about Mike's case and I told her this subject was off limits to discuss with me, Mike or anyone while she was here. This was a family gathering and other than offering support, I wanted her to limit her conversation about that subject and I also let her know that no smoking of any kind was allowed on my property at all. She reeked and there was no way that was going to be something that was going to happen on my property. During the initial talk, she also informed me she had no place to stay and said she had been sleeping in her car on her way east at truck stops. Seemingly indigent with the exception of car and clothes on her back, I was sort of blown away at her lack of foresight in getting a place to</p>
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				<p>stay because summer in Newport is expensive and hotels are booked solid in August. She was not staying in our home and I felt sort of sorry for her so I made arrangement for her to get a room at a local hotel so she could get a shower and decent place to sleep. She could not afford the hotel, so I paid for the room myself. Later in the early evening she made it for grill/dinner outside in my back yard, and it was there she presented Mike with a nice wood carving of the American flag. I let her place a banner on the deck of the house, supportive of Mike and one that may have said "God Bless America", in a similar fashion to what she would place on the bridge she stood on. I cooked dinner for about 30 people, and with the grill out in the backyard with our kitchen inside the house, I have to run back and forth up a set of stairs from the kitchen to the outside cooking area, to get things to prepared for dinner. One time running into the house I noticed the dining</p>
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				<p>room table had a box with lot of stickers and laid out on the table. Some said “CNN Sucks” and some said something about Qanon. I found it odd and sort of funny this stuff was laid out there, sort of joked with a few people about it, and I believe someone took a few photos that I don’t have. Apparently, Ms. Wolski brought these with her and unbeknownst to me she was an avid Qanon advocate. It was not until that moment during the evening I realized Veronica was a proponent of this movement. I was busy getting dinner ready, and went on with cooking dinner and really thought no more of it. The night ended as normal; everyone went home. But I did invite whoever was around for breakfast before we went our separate ways. Ms. Wolski came by and afterwards I went for a walk with her down to the beach area near the house to show her the neighborhood we grew up in. While walking, she started in on a discussion about the Q stuff with me. I told her in no uncertain</p>
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				terms I was not a believer in this movement and others in the family were not at all either. I clearly let her know in no uncertain terms I was not; nor was anyone my family remotely interested in this movement. She left before noon, but she also left a box of her Qanon paraphernalia at my house. I recall it clearly because it stunk up the dining room like cigarette smoke. I spoke to Leslie, who quickly threw the box and everything in it into the trash.
Lin Wood	None	-	-	-
M. Wright	None	-	-	-
Epoch Times	None	-	-	-
UncoverDC	None	-	-	-
X22 Report	None	-	-	-
"CJ Truth"	None	-	-	-
"Joe M"	None	-	-	-
"ShadyGroove"	None	-	-	-
"QAnon76"	None	-	-	-

In response to this Interrogatory, Leslie states as follows:

<i><b>Persons</b></i>	<i><b>Date</b></i>	<i><b>Manner</b></i>	<i><b>Place</b></i>	<i><b>Substance</b></i>
Cynthia Acbug	None			
Lori Flynn	Multiple			Life
Ashli Babbitt	None			
Jacob Bango	None			
Lori Bango	None			
Roseanne Barr	None			
Joyce Bentley	None			
Dion Bergeron	None			
Lauren Boebert	None			

R. Boyand	None			
F. Brennan	None			
Jacob Chansley	None			
A. Comello	None			
Robert Cornero	None			
Jerome Corsi	None			
Liz Crokin	None			
Johns Cruz	None			
Rob Dew	None			
Tracy Diaz	None			
Kirk Elliott	None			
Jenna Ellis	None			
C. Fulbright	None			
Paul Ferber	None			
R. Gieswein	None			
M. Greene	None			
P. Haller	None			
David Hayes	None			
Gene Ho	None			
T. Holmseth	None			
A. Hostetter	None			
M. O'Neill	None			
B. Redgate	None			
Joe Flynn	Multiple			Life
Mike Flynn	Some			Life
Mike Flynn, Jr.	None			
V. Flynn	Some			Life
Chris Hallett	None			
Jitarth Jadeja	None			
Emily Jolley	None			
Alex Jones	None			
Dustin Krieger	None			
N. Languerand	None			
Nick Lim	None			
M. Lively	None			
F. McConnell	None			
M. McCann	None			
C. Melby	None			
J. Pederson	None			
K. Pendergrass	None			
J.R. Perkins	None			
N. Blanchard	None			
S. Powell	None			
J. Prim	None			
C. Purcell	None			

C. Rogers	None			
Amy Sabal	None			
John Sabal	None			
J. Sather	None			
R. Sherrill	None			
A. Slyman	None			
D. Stella	None			
Roger Stone	None			
C. Suprean	None			
R. Taylor	None			
E. Thompson	None			
Donald Trump	None			
C. Urso	None			
Jim Watkins	None			
Ron Watkins	None			
J.T. Wilde	None			
B. Wolfe	None			
V. Wolski	None			
Lin Wood	None			
M. Wright	None			
Epoch Times	None			
UncoverDC	None			
X22 Report	None			
"CJ Truth"	None			
"Joe M"	None			
"ShadyGroove"	None			
"QAnon76"	None			

9. Identify the custodians, locations, and general descriptions of documents showing each and every instance You used the following words, phrases, and/or hashtags on any social media platform, including but not limited to Twitter, Parler, Gettr, Facebook, Instagram, Telegram, BitChut, Gab, and/or Reddit, from November 1, 2016 to the present:

**ANSWER:**

In response to this Interrogatory, Jack states as follows:

<i><b>Words</b></i>	<i><b>Used?</b></i>	<i><b>Date</b></i>	<i><b>Manner/Place</b></i>
"4chan"	Yes	8/22/20	Tweet/Asked what it is
"8chan"	Yes	8/22/20	Tweet/Asked what it is
"8kun"	Don't recall		

“Andrenochrome”	Don’t recall		
“Anons”	Don’t recall		
“Baker(s)”	Don’t recall		
“Beautiful Black Sky”/ “#BeautifulBlackSky”	Yes	Don’t recall	Twitter profile/Tweets
“Black hat”	Don’t recall		
“Bread(s)”	Don’t recall		
“Cabal”	Don’t recall		
“Calm Before The Storm”/ “#CalmBeforetheStorm”/ “CBTS”/ “#CBTS”	Don’t recall		
“The Coming Storm”	Don’t recall		
“Cross the Rubicon”/ “#CrosstheRubicon”	Don’t recall		
“Crumb(s)”	Don’t recall		
“Deep state”/”#deepstate”	Don’t recall		
“Digital Soldiers”/ “#DigitalSoldiers”	Yes	Don’t recall	Twitter profile/Tweets
“Follow the White Rabbit”/ “#FollowtheWhiteRabbitt”	Don’t recall		
“Fight Like A Flynn”/ “#FightLikeAFlynn	Yes	Don’t recall	Twitter profile/Tweets
“Future proves past”	Don’t recall		
“I Stand with Flynn”/ “#IStandWithFlynn”	Yes	Don’t recall	Twitter profile/Tweets
“The Great Awakening”/ “#TheGreatAwakening”/ “#GreatAwakening”	Don’t recall		
“Patriots”	Don’t recall		
“Patriot’s Soapbox”	Don’t recall		
“Pedogate”/”#pedogate”	NO		
“Pizzagate”/”#pizzagate”	NO		
“Q” or “#Q”	Yes	8/20/21 8/20/22	Twitter
“QAnon”/”QAnons”/ “#QAnon”/”#QAnons”	Yes	8/20/22	Twitter
“Qdrops”/”#Q drops”	Don’t recall		
“Q Clearance Patriot”	NO		
“QMap”/”#qmap”	NO		
“Qarmy”/”#qarmy”	NO		
“Q Shaman”	NO		

“The Reckoning”/ “#TheReckoning”	Yes	Don’t recall	Twitter profile/Tweets
“Red pill”/”#redpill”	NO		
“Save the Children”/ “#SaveTheChildren”	NO		
“Sheep no more”	NO		
“Sign The Damn Dismissal”/ “#SignTheDamnDismissal”	Yes	Don’t recall	Twitter profile/Tweets
“Stand With Flynn”/ “#StandWithFlynn”	Yes	Don’t recall	Twitter profile/Tweets
“Stop the Steal”/ “#StopTheSteal”	Don’t recall		
“Storm”/”#storm”	Don’t recall		
“Take the Oath”/ “#TakeTheOath”	Don’t recall		
“Take the Pledge”/ “#TakeThePledge”	Don’t recall		
“The Storm”/”#thetsorm”	Don’t recall		
“They never thought she would lose”	Don’t recall		
“Tripcode”	Don’t recall		
“Trust the plan”	Don’t recall		
“We Are The Storm”	Don’t recall		
“Where We Go One We Go All”/”WWG1WGA/ “#WWG1WGA	Yes	11/09/12 7/5/20 8/22/20	Tweets
“White hat”	Don’t recall		
“TheShirtShowUSA”/ “The Shirt Show”/ “Shirt Show USA”	Don’t recall		

In response to this Interrogatory, Leslie states as follows: none OR Don’t recall

<i>Words</i>	<i>Used?</i>	<i>Date</i>	<i>Manner/Place</i>
“4chan”	NO		
“8chan”	NO		
“8kun”	NO		
“Andrenochrome”	NO		
“Anons”	NO		
“Baker(s)”	NO		
“Beautiful Black Sky”/ “#BeautifulBlackSky”	NO		
“Black hat”	NO		

“Bread(s)”	NO		
“Cabal”	NO		
“Calm Before The Storm”/ “#CalmBeforetheStorm”/ “CBTS”/ “#CBTS”	NO		
“The Coming Storm”	NO		
“Cross the Rubicon”/ “#CrosstheRubicon”	NO		
“Crumb(s)”	NO		
“Deep state”/”#deepstate”	NO		
“Digital Soldiers”/ “#DigitalSoldiers”	NO		
“Follow the White Rabbit”/ “#FollowtheWhiteRabbitt”	NO		
“Fight Like A Flynn”/ “#FightLikeAFlynn	NO		
“Future proves past”	NO		
“I Stand With Flynn”/ “#IStandWithFlynn”	NO		
“The Great Awakening”/ “#TheGreatAwakening”/ “#GreatAwakening”	NO		
“Patriots”	NO		
“Patriot’s Soapbox”	NO		
“Pedogate”/”#pedogate”	NO		
“Pizzagate”/”#pizzagate”	NO		
“Q” or “#Q”	NO		
“QAnon”/”QAnons”/ “#QAnon”/”#QAnons”	NO		
“Qdrops”/”#Q drops”	NO		
“Q Clearance Patriot”	NO		
“QMap”/”#qmap”	NO		
“Qarmy”/”#qarmy”	NO		
“Q Shaman”	NO		
“The Reckoning”/ “#TheReckoning”	NO		
“Red pill”/”#redpill”	NO		
“Save the Children”/ “#SaveTheChildren”	NO		
“Sheep no more”	NO		
“Sign The Damn Dismissal”/ “#SignTheDamnDismissal”	NO		
“Stand With Flynn”/ “#StandWithFlynn”	NO		

“Stop the Steal”/ “#StopTheSteal”	NO		
“Storm”/”#storm”	NO		
“Take the Oath”/ “#TakeTheOath”	NO		
“Take the Pledge”/ “#TakeThePledge”	NO		
“The Storm”/”#thetsorm”	NO		
“They never thought she would lose”	NO		
“Tripcode”	NO		
“Trust the plan”	NO		
“We Are The Storm”	NO		
“Where We Go One We Go All”/”WWG1WGA/ “#WWG1WGA	NO		
“White hat”	NO		
“TheShirtShowUSA”/ “The Shirt Show”/ “Shirt Show USA”	NO		

10. Identify all Persons who appear in and/or were present for the filming of the Jack Flynn Video, as described in Paragraph 4 of the Complaint.

**ANSWER:** Valerie, Joe, General Flynn, Lori, Jack, Leslie, Sidney and Wilson Powell.

11. Identify all Persons who had any role in the posting of the Jack Flynn Video to any social media platform, including but not limited to Twitter, Parler, Gettr, Facebook, Instagram, Telegram, BitChut, Gab, Truth Social, and/or Reddit, as described in Paragraph 4 of the Complaint.

**ANSWER:** General Flynn. Jack retweeted it.

12. Identify the custodians, locations, and general descriptions of documents establishing any revenue You have received from any T-shirt, swimsuit, mug, tote bag, or other form of merchandise, including documents specifying the total amount of income you earned from each such T-shirt, swimsuit, mug, tote bag, or other form of merchandise.

**ANSWER:** None.

13. Identify the custodians, locations, and general descriptions of documents showing any form of payment You have received from any company or corporation, including but not limited to “Digital Soldiers”, “digitalsoldiers.us”, “digitalsoldiersconference.com”, “Digital Soldiers Media, LLC”, “UncoverDC.com”, “Defending The Republic, Inc.”, “Defending The Republic PAC, Inc.”, “resilientpatriot.com,” and/or “Resilient Patriot LLC”.

**ANSWER:** None.

14. Identify the custodians, locations, and general descriptions of documents establishing that CNN “lacked reasonable grounds for a belief in the truth of its statements, and acted negligently in failing to determine the true facts” in regards to the Report, as described in Paragraph 22 of the Complaint.

**ANSWER:** CNN, Plaintiffs, Twitter, YouTube. Prior to February 4, 2021 and publication of the O’Sullivan report, no news publication ever reported that the Flynnns were “**QANON FOLLOWERS**”. There were no tweets or posts anywhere on the internet or social media that labeled or even suggested that the Flynnns were “**QANON FOLLOWERS**”. CNN did no research or investigation of the Flynnns whatsoever. All CNN knew was that on July 4, 2020 the family took the Oath to the United States



Constitution, and, among many other things, repeated the words, “where we go one, we go all”. CNN did not know why the Flynns repeated these words or why they took the oath or why they did it on July 4, 2020 or whether they had *any* connection to QAnon. CNN failed to contact the Flynns or any other member of the Flynn family prior to publication, and, in spite of giving a podcaster an opportunity to offer his observations of QAnon, CNN utterly failed to give the Flynns an opportunity to respond to the false charges. *See Lewis v. Kei*, 281 Va. 715, 726, 708 S.E.2d 884 (2011) (“other statements attributed to Kei, such as the assertion that Lewis ‘approached’ T.H., are subject to being proven false, and a jury could find that Kei was negligent in making these statements based solely upon Williams’ 911 report without conducting any follow-up investigation.”). CNN had no independent evidence to corroborate that the Flynns were followers of any violent, extremist group, including QAnon, because no such evidence exists. As an experienced reporter [<https://www.cnn.com/profiles/donie-osullivan>], O’Sullivan was keenly aware that the events of January 6, 2021 were emotionally and politically super-charged, and that the statements about the Flynns, when viewed in the context of the “insurrection” and invasion of the United States Capitol that was fresh on Americans’ minds, would have an instantaneous opprobrious connotation. O’Sullivan knew or should have known that linking the Flynns to the group that was “prominent” among the mob that invaded the United States Capitol building, assaulted Police and committed other crimes, without solid factual support would have obvious pejorative connotations. CNN was grossly negligent in publishing the statements about the Flynns. CNN failed to exercise reasonable care in the production process, abandoned its ethical duty to report the truth and minimize harm, and, in its hurry to publish a scandalous story

about the Flynns, violated the codes of ethics and journalistic integrity, customs and standards in the industry applicable to the media.

The Flynns will supplement this answer upon receipt of documents requested in discovery, including CNN's guidelines and code of ethics. The Flynns may also produce expert testimony on CNN's lack of reasonable care.

15. Identify the custodians, locations, and general descriptions of documents establishing that CNN "had knowledge of or acted in reckless disregard as to the falsity of the publicized matter and the false light in which Plaintiffs would be placed by the false statements," as described in Paragraph 27 of the Complaint.

**ANSWER:** CNN, Plaintiff and Twitter. All tweets and other documents that support Plaintiff's claim for punitive damages will be produced.

16. Identify the custodians, locations, and general descriptions of documents establishing that CNN "deliberately altered the video posted by General Flynn to his Twitter account in order to associate Plaintiffs with the QAnon domestic terrorists and extremists, and, thereby, convey a defamatory meaning as to Plaintiffs," as described in Paragraph 23.b of the Complaint.

**ANSWER:** CNN. The O'Sullivan report. Other documents are exclusively in CNN's possession.

17. Identify the custodians, locations, and general descriptions of documents establishing that CNN's edits of the Jack Flynn Video "were deliberate and were made by editors and producers who were following a preconceived propaganda narrative (crafted by CNN President Jeff Zucker) to link the Flynn family members to the violent extremist group QAnon," as described in Paragraph 23.b of the Complaint.

**ANSWER:** CNN. The O'Sullivan report. Other documents are exclusively in CNN's possession.

18. Identify the custodians, locations, and general descriptions of documents establishing that "CNN intentionally published false statements in order to increase ratings, viewership and profits [and that] CNN's decision to promote a baseless narrative about the Flynn's was part of a deliberate corporate policy that emanated from Zucker," as described in Paragraph 23.d of the Complaint.

**ANSWER:** CNN. The O'Sullivan report. Other documents are exclusively in CNN's possession.

19. Identify the custodians, locations, and general descriptions of documents establishing that "CNN published the false statements as part of a broad, pretextual, premeditated and ongoing disinformation campaign against General Flynn orchestrated by political operatives and agents of the Democratic National Committee ("DNC") for whom CNN acts as a surrogate and bullhorn," as described in Paragraph 23.d of the Complaint.

**ANSWER:** CNN, DNC, and as yet unknown opposition research firms and agents of the Democratic Party. The O'Sullivan report. Other documents are exclusively in CNN's possession.

20. Identify all Persons with relevant knowledge or information concerning the subject matter of this Action not already covered by Interrogatories 1 through 19.

**ANSWER:** Objection – privileged.

**V-E-R-I-F-I-C-A-T-I-O-N**

I have reviewed the above Interrogatory Answers, and I swear or affirm that the answers are truthful and accurate to the best of my knowledge and belief based upon documents and information in my possession and control, based upon my personal observations, memory, and experiences, and based upon documents believed to be in the possession, custody and control of others.

In accordance with 28 U.S.C. § 1746, I declare, certify, verify, and state under penalty of perjury that the foregoing is true and correct.

Executed in Englewood, Florida, on April 25, 2022.

/s/

JOHN P. “JACK” FLYNN

/s/

LESLIE A. FLYNN

**Reservation of Rights**

Plaintiffs reserve the right to amend and/or supplement their Objections and Responses to Defendant's Discovery Requests.

DATED: April 25, 2022

JOHN P. "JACK" FLYNN  
LESLIE A. FLYNN

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**CERTIFICATE OF SERVICE**

I hereby certify that on April 25, 2022 a copy of the foregoing was served electronically in PDF on counsel for the Defendant.

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